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TO:

Name: Mail Stop AMENDMENT
Group Art Unit 3764/Examiner Michael Brown

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/685,776
Gary Karlin Michelson
Filed: October 15, 2003
METHOD FOR FORMING THROUGH A GUARD
AN IMPLANTATION SPACE IN THE HUMAN
SPINE

Attorney Docket No. 102.0001-13000

Customer No. 22882

Confirmation No.: 6323

FROM:

Name: Amedeo F. Ferraro

Phone No.: 310-286-9800

No. of Pages (including this): 4

Date: August 15, 2005

Confirmation Copy to Follow: NO

Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

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Sandra L. Blackmon

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FORM PTO-1083

AUG 15 2005

Attorney Docket No.: 102.0001-13000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Karlin Michelson

Serial No: 10/685,776

Filed: October 15, 2003

For: METHOD FOR FORMING THROUGH
A GUARD AN IMPLANTATION
SPACE IN THE HUMAN SPINE

Confirmation No.: 6323

Art Unit: 3764

Examiner: (Michael Brown)

Mail Stop AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a reply to the Office Communication of July 15, 2005 in the above-identified application.

- ☒ No additional fee is required.
- ☐ Applicant hereby requests a ***month extension of time to respond to the above office action.
- ☐ The total amount of \$*** to cover the above fees is to be charged to Deposit Account No. 50-1068.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1068. A copy of this sheet is enclosed.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
MARTIN & FERRARO, LLP

Date: August 15, 2005

By: 

Amedeo F. Ferraro

Registration No. 37,129

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Hartville, Ohio 44632
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FORM PTO-1083

Attorney Docket No.: 102.0001-13000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Karlin Michelson

Serial No: 10/885,776

Filed: October 15, 2003

For: METHOD FOR FORMING THROUGH
A GUARD AN IMPLANTATION
SPACE IN THE HUMAN SPINE

Confirmation No.: 6323

Art Unit: 3764

Examiner: (Michael Brown)

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For: METHOD FOR FORMING THROUGH)		
A GUARD AN IMPLANTATION SPACE)		
IN THE HUMAN SPINE)	

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TO OFFICE COMMUNICATION

In an Office Communication dated July 15, 2005, the Examiner mailed an Interview Summary corresponding to the interview conducted on June 10, 2005 (the "June interview") between the Examiner and Thomas H. Martin, one of Applicant's representatives. In a Reply to Office Communication dated June 30, 2005, Applicant provided a statement of the substance of the June interview. In response to the outstanding Office Communication, these remarks are repeated below.

The Applicant's representative and the Examiner conducted an interview on June 10, 2005. Claims 1, 31, 67, and 103 were discussed in view of the Ma, Bagby, and Brantigan references. The Examiner indicated that the claims would be examined within a few weeks after the date of the interview.

If there are any fees due in connection with the filing of this Amendment, please charge the fee to our Deposit Account 50-1068.

Respectfully submitted,
MARTIN & FERRARO, LLP

Dated: August 15, 2005By: 

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Registration No. 37,129

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